

## **NOTICE CONCERNING CHANGES TO FEE SCHEDULE EFFECTIVE JULY 1, 2001**

### **Changes to the District Court Miscellaneous Fee Schedule**

Outlined below are changes to fees included in the District Court Miscellaneous Fee Schedule that were approved by the Judicial Conference at its March 2001, session or by prior Conference action that was contingent upon passage of legislation permitting the judiciary to retain any increase. The Federal Courts Improvement Act of 2000, P.L. 106-518 (Nov. 13, 2000, 114 Stat. 2410) included such a provision. These changes will become effective on July 1, 2001.

#### *Fee for Filing or Indexing a Document Not in a Case Already Filed*

The miscellaneous fee schedules for the district and bankruptcy courts impose a \$30.00 fee for filing or indexing a miscellaneous document not in a case or proceeding for which a filing fee has been paid. The language in the district court item for this fee, however, differs substantially from the language of the bankruptcy item, as it lists four specific instances to which the fee is applicable, while the bankruptcy item lists only one example. For consistency and clarification, the Judicial Conference amended both items to remove the specific examples and to simply state that the fee shall apply when filing or indexing a document not in a case or proceeding for which a filing fee has already been paid. The amount of the fee remains the same.

#### *Fee for Reproduction of Recordings*

This fee was modified to account for changes in technology that have occurred since it was originally established. Many courts today record proceedings using digital equipment rather than magnetic tape recordings, and members of the public requesting reproductions of recordings would prefer that the recording be provided on or through media other than cassette or reel-to-reel. This fee has been expanded to remove the reference to a particular medium. In addition, in order to be consistent with the principle of encouraging government users to utilize electronic access when available and avoid burdening the clerks' offices with requests, the exemption for federal agencies from the payment of this fee is eliminated for reproduction of recordings of proceedings, when the record is available through a court's Case Management/Electronic Case Files (CM/ECF) system.\* The amount of the fee (\$20) remains the same.

#### *Archived Record Retrieval Fee*

In September 1997, the Judicial Conference approved an increase from \$25 to \$35 for the fee for retrieval of a record from the Federal Records Center, National Archives, or other storage location removed from the place of business of the court, contingent upon enactment of legislation to permit the judiciary to keep the increased amount. Such a provision was included in the Federal Courts Improvement Act of 2000. Therefore, the archive retrieval fee will increase to \$35.

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\*Currently, there are very few courts that provide this information electronically.

### *Local Rules*

This fee was modified to reflect current technologies by removing the term “printing” and replacing it with the word “providing” to allow courts to provide electronic copies of local rules. As stated in the language of the fee item, courts may still opt to provide local rules without charge.

### *Electronic Public Access Fees*

The fees for electronic public access have been removed from the miscellaneous fee schedules for each court unit and have been placed in a new Fee Schedule for Electronic Public Access. Information regarding this new schedule and other Judicial Conference action with respect to electronic public access fees has been sent by separate memorandum dated April 30, 2001.